

REMARKS

Applicants have carefully reviewed the application in light of the Office Action dated February 3, 2004. At the time of the Office Action, Claims 7-10 and 16-36 were pending in the application. Applicants respectfully request reconsideration of all pending claims. The Office Action rejects Claims 7-10 and 16-18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,699,523 to Li *et al.* (hereinafter "*Li*") in view of U.S. Patent No. 5,231,633 to Hluchyj (hereinafter "*Hluchyj*"). The Office Action rejects Claims 19-36 under 35 U.S.C. § 103(a) as being unpatentable over *Li* in view of *Hluchyj* and further in view of U.S. Patent No. 5,179,708 to Gyllstrom *et al.* (hereinafter "*Gyllstrom*").

Applicants respectfully traverse these rejections and the assertions and holdings therein. For instance, Applicants respectfully assert that *Li*, *Hluchyj*, and/or *Gyllstrom* fail to disclose, teach, or suggest at least "sending a message having a priority level from the client to the server, the message requesting processing by the server" as recited, in part, in amended Claim 7. In contrast, the *Hluchyj* system (what the Office Action equates with the "the server") appears to be interposed between end systems, with the first end system communicating packets for use or processing by the second end system. For example, *Hluchyj* discloses that:

[b]efore the flow of packets between the end systems begins, a connection (or virtual circuit) is established between them. This connection determines the path (i.e., the nodes and internodal trunks) that the fast packets will follow from end to end. FIG. 2 depicts a switch typically used at an intermediate node, that receives fast packets from one or more input trunks and switches them to one or more output trunks.

Hluchyj, 2:1-8. *Hluchyj* then teaches that the packets are enqueued/dequeued for transmission via the internodal trunk. *Hluchyj*, 5:38-42. In another example, *Hluchyj* teaches that packets intended for particular recipients are prioritized, put in queues, and multiplexed at an internodal trunk for transmission to the particular recipients. *See Hluchyj*, 1:6-12; *id.* at 4:26-27; *id.* at 5:38-42; *see also* Office Action at 7. Indeed, *Hluchyj* repeatedly teaches that after enqueueing/dequeueing at the intermediate trunk, the packets are transmitted from the trunk to the expected recipient for subsequent processing. *See, e.g., Hluchyj*, 4:14-17; *id.*, 4:26-27; *id.*, 4:61-66; *id.*,

5:38-42; *id.*, 6:57-68; *id.*, 9:32-40. *Gyllstrom* also teaches transmission to the “destination” or “recipient” process by a message-delivery function, which determines the message priority. *See Gyllstrom*, Abstract; *id.*, Title, *id.*, FIG. 4; *id.*, FIG. 5; *see also* Office Action at 5. For at least these reasons, *Hluchyj* and/or *Gyllstrom* fail to teach, suggest, or disclose at least “sending a message having a priority level from the client to the server, the message requesting processing by the server” as recited, in part, in amended Claim 7.

Applicants further submits that *Li* fails to account for the deficiencies of *Hluchyj* and *Gyllstrom*. For example, *Li* discloses “[a] device for communication *between* at least one client and at least one server.” *Li*, Abstract (emphasis added); *id.*, Title. *Li* further discloses that the “present invention relates to a router device *between* a client and a server, the method for using the device, and the use of the device.” *Li.*, 1:9-11 (emphasis added). Accordingly, *Li*, *Hluchyj*, and *Gyllstrom*, whether alone or in combination, fail to teach, suggest, or disclose at least “sending a message having a priority level from the client to the server, the message requesting processing by the server” as recited, in part, in amended Claim 7.

For analogous reasons, Applicants respectfully assert that *Li*, *Hluchyj*, and/or *Gyllstrom* fail to teach various limitations of independent Claims 16, 24, and 32. For at least these reasons, Applicants respectfully request reconsideration and allowance of independent Claims 7, 16, 24, and 32 and claims depending therefrom.

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CONCLUSION

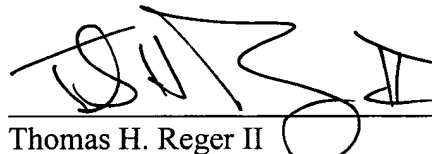
Applicants have now made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all Claims.

If the present application is not allowed and/or if one or more of the rejections is maintained, Applicants hereby request a telephone conference with the Examiner and further requests that the Examiner contact the undersigned attorney to schedule the telephone conference. Please note that Applicants filed a Revocation and New Power Attorney on June 3, 2004.

Enclosed is a \$110.00 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: June 3, 2004



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Attachments: Petition for One Month Extension of Time (1 page)
Copy of Transmittal of Revocation and New Power of Attorney (1 page)
Copy of Revocation and New Power of Attorney (3 pages) with attached
Table 1 (6 pages)

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